

RE: Urgent - Emergencies act in action

From: "Nathoo, Farees" <farees.nathoo@dpmo-cvpm.gc.ca>
To: "Steinhouse, Alexander" <alexander.steinhouse@justice.gc.ca>, "Khalil, Samantha" <samantha.khalil@pmo-cpm.gc.ca>
Cc: "Power, Mary-Liz" <mary-liz.power@pmo-cpm.gc.ca>, Mike Jones <mike.jones@ps-sp.gc.ca>, "Astravas, Zita" <zita.astravas@qpc-cpr.gc.ca>, Alexander Cohen <alexander.cohen@ps-sp.gc.ca>, "Cullinan, Annie" <annie.cullinan@qpc-cpr.gc.ca>, "Williams, Caroline" <caroline.williams@qpc-cpr.gc.ca>
Date: Fri, 18 Feb 2022 14:17:59 +0000

See below language from Freeland's remarks yesterday we can use to characterize the current state of play:

On Monday, Cabinet invoked the *Emergencies Act* to restore public order.
Information is now being shared by law enforcement with Canada's financial institutions.
Financial service providers have already taken action based on that information and are freezing accounts.
The emergency measures we put in place are being used, they are having an impact, and they will have a growing impact in the days to come.

Here are some helpful things reported by the press that we can point to on BG:

- Under orders issued via the Emergencies Act, the RCMP has provided the country's financial institutions with a list of individuals it says have ties to anti-government protests, instructing banks and cryptocurrency exchanges to cease transacting with them ([G&M, 16 February 2022](#))
- Under orders issued via the Emergencies Act, truckers have received notices from their insurance companies advising them that policies of those participating in illegal blockades could be frozen ([CP, 18 February 2022](#))

As a reminder, the measures we've introduced include:

- Broadening the scope of Canada's anti-money laundering and terrorist financing rules to cover crowdfunding platforms and their payment service providers, and requiring them to report large and suspicious transactions to the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC);
- Directing our financial institutions to freeze or suspend the accounts of individuals and businesses affiliated with the illegal blockades;
- Requiring financial institutions to review their relationships with anyone involved in the blockades, and to report to our national security agencies;
- And providing federal, provincial, and territorial government institutions with the authority to share information with banks and financial services providers that will help put a stop to the funding of illegal blockades and illegal activities.

-----Original Message-----

From: Steinhouse, Alexander <Alexander.Steinhouse@justice.gc.ca>
Sent: Friday, February 18, 2022 9:17 AM
To: Khalil, Samantha <Samantha.Khalil@pmo-cpm.gc.ca>
Cc: Power, Mary-Liz <Mary-Liz.Power@pmo-cpm.gc.ca>; Mike Jones <mike.jones@ps-sp.gc.ca>; Astravas, Zita <Zita.Astravas@qpc-cpr.gc.ca>; Alexander Cohen <Alexander.Cohen@ps-sp.gc.ca>; Cullinan, Annie <Annie.Cullinan@qpc-cpr.gc.ca>; Williams, Caroline <Caroline.Williams@qpc-

cpr.gc.ca>; Nathoo, Farees <Farees.Nathoo@dpmo-cvpm.gc.ca>

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Adding Mike's correct email.

In case you need it, decent quote in here about the need for financial measures

<https://www.hilltimes.com/2022/02/17/intelligence-and-governance-failures-at-root-of-occupied-downtown-ottawa-as-weeks-long-protest-now-a-matter-of-national-security-say-experts/345064> :

As part of the Emergencies Act, banks and other financial institutions in Canada have also been directed to monitor and stop transactions that provide funding to demonstrators, according to the CBC.

Lazar also pointed out that the financial measures which “seem to be important for dealing with the situation” would not have been available under provincial powers, with Emergency Preparedness Minister Bill Blair (Scarborough Southwest, Ont.) insinuating that there is intelligence suggesting there are national security considerations around foreign funding.

“So while the provincial emergency powers were suitable for clearing the streets, they probably were not up to the task of dealing with the underlying issues of funding those factions within the convoy who may be violent extremists or be seeking to install a different system of government,” said Lazar.

-----Original Message-----

From: Khalil, Samantha <Samantha.Khalil@pmo-cpm.gc.ca>

Sent: February 18, 2022 9:11 AM

To: Steinhouse, Alexander <Alexander.Steinhouse@justice.gc.ca>

Cc: Power, Mary-Liz <Mary-Liz.Power@pmo-cpm.gc.ca>; Jones, Mike <Mike.Jones@cic.gc.ca>; Astravas, Zita <Zita.Astravas@qpc-cpr.gc.ca>; Alexander Cohen <Alexander.Cohen@ps-sp.gc.ca>; Cullinan, Annie <Annie.Cullinan@qpc-cpr.gc.ca>; Williams, Caroline <Caroline.Williams@qpc-cpr.gc.ca>; Nathoo, Farees <Farees.Nathoo@dpmo-cvpm.gc.ca>

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For review revised spinners message. I'd like to get this out shortly. Public safety anything we can add?

Emergencies Act in Use :

- The emergencies Act has given police the authority to prevent people from coming into the city to participate in the blockade.
- As the Ottawa Police have said “ Under the Emergencies Act, the Unified Command has established a Secured Area to ensure that individuals comply with the Emergency Measures Regulations and to ensure designated places are protected.”
- The emergencies act has given police authority to lay charges, including mischief, for those who do not leave the Secured Area and are participating in the blockade
- The act has also allowed for RCMP to enforce municipal laws when under command of local police, ensuring seamless and expedited cross-jurisdiction cooperation

Financial Measures:

- Of course we get into details during an operation but when appropriate, as soon as possible, information will be made available.
- A time limited tool that police can use to investigate people and take further their action.
- These tools were previously unavailable to police and financial institutions.
- If you are an occupier, you should know police are investigating and taking action.

Revocation:

- These tools will only be in place for as long as necessary. They are time limited.
- However, the need continues as we see continued threat of blockades at our ports of entry.

Relevant tweets and quotes:

Under the Emergencies Act, the Unified Command has established a Secured Area to ensure that individuals comply with the Emergency Measures Regulations and to ensure designated places are protected. <https://twitter.com/ottawapolice/status/1494484316038082583?s=21>

The Ottawa Police Service wants to inform you that under provincial and federal legislation, you will face severe penalties if you do not cease further unlawful activity and remove your vehicle and/or property immediately from all unlawful protest sites. #ottawa #ottnews

<https://twitter.com/ottawapolice/status/1494667857833172996?s=21>

Acting Chief Bell Feb 17, 2022 Press Conference:

"All of those pieces of legislation and supports we've got from different levels of government have contributed to our ability to ultimately say we are in a position to move forward and end this demonstration."

Former Chief Charles Bordeleau – Feb 17, 2022

David Cochrane: What are your thoughts on the emergencies act? A lot of people have pointed to Windsor and courts and Emerson as issues that were cleared with normal law enforcement under normal conditions and normal laws. What sneaded to deal with what's happened in snout.

Charles Bordeleau (Former Ottawa Police Chief): I think there are certain powers that are given to police under the emergencies act to facilitate and give them those additional tools. The example being used is the actual perimeter being set. They wouldn't have had the ability, the lawful ability to set that hard perimeter coming into town. So that's a tool that's been useful. And it's also a clear message to those that are in here that there are serious consequences when you're talking about your bank accounts, your livelihood and your business being impacted and being potentially seized, that could cause pause for reflection for those who are here, but also for those that want to come in to bolster the demonstration.

David Cochrane: Okay, so it's interesting, so the plan that chief bell outlined today wouldn't have been possible without the emergencies act, it would have been illegal without the special emergency powers that were granted by the Prime Minister and his cabinet?

Charles Bordeleau (Former Ottawa Police Chief): That's my understanding of how the legislation was written and by the announcement made by the Ottawa police service today, that's my interpretation.

On Feb 18, 2022, at 9:06 AM, Steinhouse, Alexander <Alexander.Steinhouse@justice.gc.ca> wrote:

Insofar as what can be said publicly about the financial measures, we should be able to make a clear case that they are helping stop these protests and they are beyond the capacity of provincial governments and otherwise were unavailable under the current legislative framework. Per that Bordeleau quote, Public Safety should be able to confirm what can be publicly said about using the Act to compel the use of tow trucks, but that power would also fall under one of your buckets.

From: Power, Mary-Liz <Mary-Liz.Power@pmo-cpm.gc.ca>

Sent: February 18, 2022 9:03 AM

To: Khalil, Samantha <Samantha.Khalil@pmo-cpm.gc.ca>; Jones, Mike <Mike.Jones@cic.gc.ca>; Astravas, Zita <Zita.Astravas@qpc-cpr.gc.ca>; Alexander Cohen <Alexander.Cohen@ps-sp.gc.ca>; Cullinan, Annie <Annie.Cullinan@qpc-cpr.gc.ca>; Williams, Caroline <Caroline.Williams@qpc-cpr.gc.ca>; Steinhouse, Alexander <Alexander.Steinhouse@justice.gc.ca>; Nathoo, Farees <Farees.Nathoo@dpmo-cvpm.gc.ca>

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Bordeleau this morning on CBC:

Charles Bordeleau: Well, with respect to the removal of the vehicles, they may have found alternate sources of equipment, heavy equipment to be able to remove trucks. And as I said as well, they are trying -- they are going to do their best, perhaps to drive the vehicles out themselves and hire

individuals to drive the trucks out if they don't have to be towed. Where I see the act really coming into play is with respect to the -- to the roadblocks and the checkpoints that have been established across the city to prevent individuals who are here to demonstrate from coming into the city. That act allows and legal authority for officers to turn people away, if you look at a couple of weeks ago, individuals are allowed to the city and you can't technically legally prevent somebody from coming into the capital to demonstrate, because it's a legal demonstration. However, now that the demonstration has been deemed illegal, the emergencies act has given powers to the officers to be able to prevent somebody from coming in to participate in illegal demonstration, which is a positive thing. It has enabled the police service to seal the city, to a certain extent, to prevent those who want to come and most of the numbers of peopledom straightening.

-----Original Message-----

From: Khalil, Samantha <Samantha.Khalil@pmo-cpm.gc.ca<<mailto:Samantha.Khalil@pmo-cpm.gc.ca>>>

Sent: Friday, February 18, 2022 8:38 AM

To: Jones, Mike <Mike.Jones@cic.gc.ca<<mailto:Mike.Jones@cic.gc.ca>>>; Astravas, Zita <Zita.Astravas@qpc-cpr.gc.ca<<mailto:Zita.Astravas@qpc-cpr.gc.ca>>>; Alexander Cohen <Alexander.Cohen@ps-sp.gc.ca<<mailto:Alexander.Cohen@ps-sp.gc.ca>>>; Cullinan, Annie <Annie.Cullinan@qpc-cpr.gc.ca<<mailto:Annie.Cullinan@qpc-cpr.gc.ca>>>; Williams, Caroline <Caroline.Williams@qpc-cpr.gc.ca<<mailto:Caroline.Williams@qpc-cpr.gc.ca>>>; Alexander Steinhouse <Alexander.Steinhouse@justice.gc.ca<<mailto:Alexander.Steinhouse@justice.gc.ca>>>; Nathoo, Farees <Farees.Nathoo@dpmo-cvpm.gc.ca<<mailto:Farees.Nathoo@dpmo-cvpm.gc.ca>>>

Cc: Power, Mary-Liz <Mary-Liz.Power@pmo-cpm.gc.ca<<mailto:Mary-Liz.Power@pmo-cpm.gc.ca>>>

Subject: Urgent - Emergencies act in action

Hi - anything else we can add to this list to demonstrate the need and effectiveness of the Emergencies Act? Will share with our media team.

- As the Ottawa Police have said " Under the Emergencies Act, the Unified Command has established a Secured Area to ensure that individuals comply with the Emergency Measures Regulations and to ensure designated places are protected."

- The emergencies act has allowed for police to lay charges, including mischief, for those who do not leave the Secured Area

- the act has also allowed for RCMP to enforce municipal laws when under command of local police, ensuring seamless and expedited cross-jurisdiction cooperation

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